

PROJET DE LOI

ENTITLED

The Bills of Exchange (Amendment) (Bailiwick of Guernsey) Law, 1993 *

[CONSOLIDATED TEXT]

NOTE

This consolidated version of the enactment incorporates all amendments listed in the footnote below. However, while it is believed to be accurate and up to date, it is not authoritative and has no legal effect, having been prepared in-house for the assistance of the Law Officers. No warranty is given that the text is free of errors and omissions, and no liability is accepted for any loss arising from its use. The authoritative text of the enactment and of the amending instruments may be obtained from Her Majesty's Greffier, Royal Court House, Guernsey, GY1 2PB.

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* No. XI of 1993 (Ordres en Conseil Vol. XXXIV, p. 504); as amended by the Government of Alderney Law, 2004 (No. III of 2005, Ordres en Conseil Vol. XLV, p. 26).

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ARRANGEMENT OF SECTIONS

1. Amendments to Bills of Exchange Law.
2. Amendment.
3. Citation.
4. Commencement.

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THE STATES, in pursuance of their Resolutions of 30th September, 1992^a and 27th January, 1993^b, have approved the following provisions which, subject to the Sanction of Her Most Excellent Majesty in Council, shall have force of law in the Bailiwick of Guernsey.

Amendments to Bills of Exchange Law.

1. In the Bills of Exchange (Guernsey) Law, 1958^c –

(a) in section 1(1) –

(i) in the definition of "bank holiday" for "bank",
wherever appearing, substitute "public",

(ii) for the definition of "non-business day"
substitute –

""non-business day" has the meaning given by

^a Article XIV of Billet d'État No. XVII of 1992.

^b Billet d'État No. II of 1993.

^c Ordres en Conseil Vol. XVII, p. 384 and Vol. XXIV, p. 84.

order of the States Advisory and Finance Committee,"¹

(b) after section 1 insert the following sections –

"General provisions as to orders.

1A. An order of the States Advisory and Finance Committee under section 1(1) may be amended or repealed by a subsequent order thereunder.

Construction of references to bank holidays.

1B. Any reference in any enactment, order of the court or statutory instrument which has effect in the Bailiwick or any part thereof to a bank holiday, howsoever expressed, shall be construed, in relation to the Bailiwick or that part thereof, as the case may be, as a reference to a public holiday within the meaning of section 1(1) above."²

(c) in section 80, after "crossed cheque" insert "(including a cheque which under section 80A of this Law or otherwise is not transferable)",

(d) after section 80 insert –

"Non-transferable cheques.

80A. (1) Where a cheque is crossed and bears across its face the words "account payee" or "a/c payee", either with or without the word "only", the cheque shall not be transferable, but shall only be valid as between the parties thereto.

(2) A banker is not to be treated for the purposes of section 79 of this Law as having been negligent by reason only of his failure to concern himself with any purported indorsement of a cheque which under subsection (1) of this section or otherwise is not transferable.";

(e) in section 84(2)(a), after "cheques" insert "(including cheques which under section 80A(1) of this Law or otherwise are not transferable)".

Amendment.

2. ...

NOTE

Section 2 (and not, as shown, incorrectly, in the printed version of the 2004 Law, "The Government of Alderney (Amendment) Law, 1993") was repealed by the Government of Alderney Law, 2004, section 63(1), Schedule 3, Part I, paragraph 4, with effect from 1st May, 2005, subject to the savings and transitional provisions in section 63(2) and section 64 of the 2004 Law.

Citation.

3. This Law may be cited as the Bills of Exchange (Amendment) (Bailiwick of Guernsey) Law, 1993.

Commencement.

4. This Law shall come into force at the expiration of one week beginning on the day on which it is registered on the records of the Island of Guernsey.

NOTE

The Law was registered on the Records of the Island of Guernsey on 4th October, 1993.

¹ For subsequent amendments, see the consolidated text of the Bills of Exchange (Guernsey) Law, 1958.

² For subsequent amendments, see the consolidated text of the Bills of Exchange (Guernsey) Law, 1958.